

## **CHAPTER 2**

### **POLICY**

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## **2.05.00.00 - DELEGATION MATRICES**

Pursuant to Director's Policy #16 dated December 1, 1994, and Executive Order #98-21 dated July 2, 1998, the R/W Program Manager issues, updates, and disseminates Program delegations directly to the Regions/Districts through the R/W manual revision process. As before, delegations transfer to Region/District Directors, and by separate subdelegation order from Region/District Directors to Region/District Division Chiefs - R/W, and thereafter to the designated position.

The delegation matrices identify specific delegations to Regions/Districts, and also identify the Region/District subdelegation level of approval

required for actions within each R/W function. The delegation process now provides that each Region/District will determine, approve, and enter its own subdelegation authority levels on the following matrices.

To complete the subdelegation process, each Region/District determines and processes appropriate subdelegation orders, enters those approved authorities in the appropriate matrix column, and thereafter maintains subdelegation records and revisions. A copy of the delegation matrices reflecting Region/District approved subdelegation levels and current revisions thereto is to be forwarded for HQ records.

**NOTES:**

## **2.00.00.00 - POLICY**

### **2.01.00.00 - PURPOSE/MISSION/VISION/GOALS**

#### **2.01.01.00**      **Overview of the Program**

#### **2.01.01.01**      **Function**

R/W serves the real estate needs of Caltrans. The two primary responsibilities are:

- Appraising and purchasing property required for transportation purposes; effecting an orderly relocation of affected families, businesses, and utility facilities; and clearing of properties prior to construction.
- Comprehensively managing Caltrans' real property for transportation purposes, reducing the costs of operations, and disposing of property no longer needed.

R/W also has the responsibility for:

- Monitoring right of way activities on federally assisted local facilities.
- Maintaining a stewardship role in the expenditure of federal funds.
- Ensuring local agency compliance when local funds are used for projects on the State Highway System.
- Permitting and monitoring for compliance outdoor advertising along State highways.

#### **2.01.01.02**      **Organization**

The Program has a professional staff of R/W agents, administrators, and others who

perform a vital role in the delivery of right of way for transportation projects and in managing other real estate assets related to those projects. It is headquartered in Sacramento and has branches in each of the 12 district offices.

#### **2.01.02.00**      **Purpose**

R/W administers the statewide program for right of way acquisition and real property management in support of Caltrans' purpose, mission, vision, and goals.

#### **2.01.03.00**      **Mission**

To provide property rights for the construction of transportation projects on time and within budget.

#### **2.01.04.00**      **Vision**

Our vision is to be the best right of way organization - professional, innovative, and successful in everything we do. We continuously set new standards of excellence in our field. We take pride in delivering quality products and services that meet or exceed our customers' needs. Right of Way provides an environment that fosters teamwork, trust, ethical behavior, care and respect for the individual, personal and professional growth, and development of our staff as leaders.

#### **2.01.05.00**      **District Divisions of R/W**

Each District Division of R/W shall develop its own purpose, mission, vision, and goals statements that shall be consistent with those of the Department and R/W.

**NOTES:**

## **2.02.00.00 - PROJECT DEVELOPMENT**

### **2.02.01.00**      **Transportation Project Development Process**

The transportation project development process starts with initiation of feasibility studies in accordance with the Project Development Procedures Manual (PDPM). The process covers project report studies, community interaction, environmental studies, clearance documents, alternatives, and public hearings all leading to completion of the plans, specifications, and estimates (PS&E), and ends with the completion of construction. Current Department policy requires that project reports be prepared on all transportation development and improvement projects. Right of Way participates in this process by being part of the project development team and by producing a R/W Data Sheet, which contains the estimated R/W capital outlay requirements for the project.

### **2.02.02.00**      **Caltrans Project Management**

The Department has embraced project management as its methodology for carrying out its transportation project development mission. Project management emphasizes planning, monitoring, and managing project delivery activities and resources to deliver the right project, at the right time, within budget, and with the quality promised. Project management emphasizes communication in a team-based environment. The project manager, functional managers, project management support personnel, and district managers work together to deliver the project. As part of this effort, the Department has developed a Project Management Handbook that sets forth the policies, goals, organizational structure, and roles and responsibilities of the project management organization. Right of Way participates as an active member of the project management team, generally as a functional team member.

To support the Department's project management program, each District Division of R/W has created a R/W Project Coordinator position. Establishment of the R/W Project Coordinator position in each district is responsive to customer needs and results in enhanced communication among branches in the Department, thereby aiding in project delivery and bringing projects in on time and within estimated

cost. The specific duties and responsibilities of the R/W Project Coordinator are set forth in the R/W Project Coordinator Handbook.

### **2.02.03.00**      **Hazardous Waste**

The Department's policy in the development of transportation projects is to consider fully all aspects of potential hazardous waste sites. Contaminated property is acquired only after adequate prior investigation and proper contractual and valuation safeguards are incorporated in the property acquisition process. The property owner shall complete remediation of contamination, if possible, prior to the Department's acquisition of the property. Where cleanup by the owner prior to acquisition is not possible, an exception to the policy must be requested from the Deputy Director, Project Development and Deputy Director, Planning. The PDPM sets forth the exception process and items to be addressed in the exception request. (See also memo dated August 16, 1995, Approval Process for Acquisition of Hazardous Waste Contaminated Property, Weaver/Hendrix.)

Project Development is the lead unit responsible for identifying, investigating, and cleaning up hazardous waste on required right of way. Right of Way, as part of the project development team, assists in the identification and investigation phases whenever possible and provides the primary source of contact with property owners and operators. Each district has a designated district R/W hazardous waste/materials coordinator. See Manual Section 7.04.12.00 for R/W's role in this phase of project development and valuation considerations relating to hazardous waste properties.

### **2.02.04.00**      **Risk Taking**

Right of Way is constantly challenged with new laws, regulations, and policies and the application of policies and procedures to real-life situations. Right of Way sometimes faces unique situations that require judgment decisions when specific guidance for forming the decision is not available from law, regulations, or policies and procedures. Right of Way sometimes must take calculated risks to deliver its product. The following statement

provides some guidance for making decisions involving risk taking:

A RISK is defined as a legal and planned deviation in business practices or policy application consistent with delegated authority and a fiduciary position that results in time or dollar economies for the Department.

Prior to making a decision regarding a risk situation, the following factors should be considered:

- Is the risk decision legal?

- Is this informed decision consistent with the Department's policy and practice of being good stewards of our assets?
- Is the decision consistent with delegated authority?
- Does the decision consider the rights of those involved?
- Does the decision consider the corporate view?



## 2.03.00.00 - TRAINING AND DEVELOPMENT

### 2.03.01.00     Philosophy

R/W is committed to developing and maintaining a highly qualified and motivated work force that is representative of California's diverse population. Inherent in this commitment is the belief that a well-trained and motivated work force will improve efficiency, reduce costs, and offer an increased level of service to our customers.

### 2.03.02.00     General

Employees in R/W possess distinct and specialized skills. Additionally, all employees are expected to have basic computer literacy, good communication and interpersonal skills, and familiarity with the functions R/W performs.

Both formal and informal training is required for all employees. Formal training is offered in accordance with Caltrans' policies and falls into the following categories: mandated, job-required, job-related, personal development, upward mobility, and career-related. The formal training outlined in this section does not include mandated State and Department training courses required of all employees. Informal training refers to on-the-job training and is an essential element in our philosophy of developing well-trained employees.

### 2.03.03.00     Responsibility

All R/W employees share responsibility for developing and maintaining a well-trained work force. (See chart below.)

Employees' attainment of professional designations from associations such as the IRWA or the Appraisal Institute is beneficial to R/W. While it is the employee's prerogative to attain such designations, R/W will support this endeavor to the degree that it benefits the State.

### 2.03.04.00     Training Standards

Training standards are structured to give all employees basic knowledge of R/W operations and to provide skills necessary for optimum job performance. Each district, however, must ultimately assess its own needs, its available resources, and the personnel involved when determining employees' training.

A general orientation process is an important step in training employees new to R/W. The checklists (Exhibit 2-EX-1, Supervisor's Report of Employee Orientation, and Exhibit 2-EX-2, Orientation to Right of Way Functions) are guides for the first-line supervisor to follow to ensure that all employees become familiar with Caltrans in general and R/W in particular.

- **R/W Managers** - are responsible for coordinating, scheduling, funding, and monitoring statewide training courses and for developing new courses and training instructors.
- **Region/District R/W Managers** - are responsible for planning the training needs of district employees; maintaining training records; tracking, requesting and optimizing local funding for training; and identifying and providing personnel to be trained and used as instructors.
- **First-Line Supervisors** - are the primary managers and providers of training in their role as mentors. They are also responsible for developing an Individual Development Plan (IDP) for each employee and reviewing and updating it when a change in supervision occurs; completing probationary reports for new employees; annually reviewing and updating each employee's training history; and assessing the employee's training needs and incorporating these into the IDP.
- **Employees** - are ultimately responsible for their own personal and professional development. This includes assuming personal and fiscal responsibilities for developing some skills and abilities. They are responsible for identifying training needs to be included in their IDPs; for fully participating in assigned training; for seeking training opportunities to improve job performance and self-development (including performing on task forces, seeking developmental assignments outside R/W, serving on exam panels, serving as instructors, taking short-term assignments in other districts); for developing mentor and lead person skills to assist in training others; and for maintaining a current, personal training history.



**NOTES:**

## **2.04.00.00 - RIGHT OF WAY ADMINISTRATION**

### **2.04.01.00 Title VI, Civil Rights Act**

Title VI, Section 601 of the Civil Rights Act of 1964 states:

*“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”*

The Department of Transportation’s policy is to provide equal opportunity and full access of its programs, services, and information to all segments of the public without regard to race, gender, creed, color, religion, national or ethnic origin, age, marital status, or disability. R/W’s implementation assures that all services and benefits to be derived from any R/W activity will be administered in accordance with this policy.

### **2.04.01.01 HQ R/W Responsibilities**

R/W will designate a R/W Title VI Coordinator whose primary responsibilities are:

- Assist the Department's Title VI Officer in HQ to process complaints pertaining to R/W issues by obtaining facts, witnesses and necessary statements, and to recommend corrective action and case resolution.
- Attend necessary appeals hearings and expedite resolutions.
- Serve as liaison between the Affirmative Action Officers in the districts and the Title VI Officer in HQ.
- Evaluate district performance for compliance with Title VI laws and regulations, delivery of the Title VI survey, and maintenance of Title VI records.
- Review and recommend needed changes in policy.

### **2.04.01.02 District R/W Responsibilities**

District R/W Agents providing services to the public must deliver the following Title VI information to property owners, tenants, and relocatees during their first contact.

- “Working Together Works” booklet
- Statutes and Regulations, Exhibit 2-EX-3
- Complaint Process, Exhibit 2-EX-4
- Survey Form, RW 2-1, with a self-addressed, stamped envelope
- Discrimination Complaint Form, RW 2-2

Additionally, Agents shall document delivery of the Title VI information with an appropriate diary entry.

District P&M shall gather and maintain the voluntary Title VI survey forms, identified by parcel number only, and assure that no personal information is held in any individual parcel file.

Districts will make Title VI survey information available to any appropriate HQ R/W or other reviewer for audit purposes.

### **2.04.02.00 R/W Roster**

The R/W Roster Coordinator initiates, assembles, and distributes the R/W Roster, which serves as a resource for information on personnel in R/W classifications statewide. Publication is not less than twice a year in January and July.

The Roster is divided into the following three sections:

- Personnel (classifications, hires, retirements)
- Organization Charts
- Telephone Lists

Each District Division of R/W shall appoint a district roster coordinator, who will provide accurate information in a timely manner upon request.

#### **2.04.03.00 Statistical Reports**

#### **2.04.03.01 Annual R/W Fact Sheet**

Each year HQ R/W prepares the Annual R/W Fact Sheet, which compiles production statistics and provides an overview of R/W activities during the preceding fiscal years. The report is an internal document intended primarily for R/W's use.

Headquarters R/W has overall responsibility for initiating, assembling, and finalizing the report. The various branches within HQ R/W and district R/W are required to supply certain data upon request. Information should be provided as quickly and accurately as possible following receipt of the request.

Headquarters R/W must maintain a well-documented file while the report is being prepared and ensure the information is available for current and future review.

#### **2.04.03.02 Federal Report**

*"The Agency shall submit a report of its real property acquisition and displacement activities under this part if required by the Federal agency funding the project."* (Ref. 49 CFR 24.9[c])

The federal report pertains to those activities subject to provisions of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 where federal or federally-assisted funds are involved in any phase of a project. This includes projects under the Combined Road Plan, State/Local Cooperative Agreements, and where there is sales tax initiative funding.

The district prepares Form RW 10-4, "Uniform Relocation Assistance and Real Property Acquisition Statistical Report," for the 12-month period ending September 30 of each year. The report is submitted to HQ P&M no later than October 15. Instructions for use and completion of the form are printed on the reverse side of the form.

#### **2.04.04.00 Forms, Records, and File Administration**

Headquarters P&M is responsible for maintaining R/W's record systems and for assuring that policies and procedures set forth in the Caltrans records management and forms management programs are adhered to.

#### **2.04.04.01 Records and File Administration**

The Program Manager appoints a R/W Records Officer to manage the records program in R/W.

##### **HQ Responsibilities:**

- Control access to public records
- Assure confidentiality of personal information
- Assure application of appropriate technology to all records and file management-related activities
- Approve requests for filing and storage equipment
- Consult with and advise managers in all matters pertaining to records and file management

##### **Statewide Responsibilities:**

- Maintain and revise the statewide R/W Records Retention Schedule
- Coordinate input to Annual Records Inventory
- Act as liaison between HQ and district R/W for matters pertaining to R/W records

#### **2.04.04.02 Records Retention Schedule**

Departmental policy states that a Records Retention Schedule, Std. 72, shall be established for all record series under each Program's functional control and shall include records held in HQ, district offices, and storage. A complete revision is required every five years and may be updated as retention requirements change.

The R/W Records Officer shall maintain and distribute the schedule to district R/W Records Officers and P&M offices as changes are made.

#### **2.04.04.03      Forms Management**

R/W appoints a Forms Officer to bring the Program into compliance with applicable laws and regulations of the Department's forms management program. Duties include:

- Act as liaison between HQ and district R/W on issues pertaining to forms management.
- Maintain an index of R/W forms to assure adherence to forms design standards.
- Review forms for compliance with the Information Practices Act.
- Enforce provisions of the Information Practices Act to assure confidentiality of all personal information gathered.
- Prepare statewide input for the annual Information Practices Act report.
- Approve all requests to print, design, and order forms.
- Take advantage of opportunities for use of new technologies.

**NOTES:**

## **2.00.00.00 - POLICY**

### **2.01.00.00 - PURPOSE/MISSION/VISION/GOALS**

#### **2.01.01.00**      **Overview of the Program**

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**NOTES:**

## **2.04.00.00 - RIGHT OF WAY ADMINISTRATION**

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### **2.04.01.01 HQ R/W Responsibilities**

R/W will designate a R/W Title VI Coordinator whose primary responsibilities are:

- Assist the Department's Title VI Officer in HQ to process complaints pertaining to R/W issues by obtaining facts, witnesses and necessary statements, and to recommend corrective action and case resolution.
- Attend necessary appeals hearings and expedite resolutions.
- Serve as liaison between the Affirmative Action Officers in the districts and the Title VI Officer in HQ.
- Evaluate district performance for compliance with Title VI laws and regulations, delivery of the Title VI survey, and maintenance of Title VI records.
- Review and recommend needed changes in policy.

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- Statutes and Regulations, Exhibit 2-EX-3
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- Organization Charts
- Telephone Lists

Each District Division of R/W shall appoint a district roster coordinator, who will provide accurate information in a timely manner upon request.

#### **2.04.03.00 Statistical Reports**

#### **2.04.03.01 Annual R/W Fact Sheet**

Each year HQ R/W prepares the Annual R/W Fact Sheet, which compiles production statistics and provides an overview of R/W activities during the preceding fiscal years. The report is an internal document intended primarily for R/W's use.

Headquarters R/W has overall responsibility for initiating, assembling, and finalizing the report. The various branches within HQ R/W and district R/W are required to supply certain data upon request. Information should be provided as quickly and accurately as possible following receipt of the request.

Headquarters R/W must maintain a well-documented file while the report is being prepared and ensure the information is available for current and future review.

#### **2.04.03.02 Federal Report**

*"The Agency shall submit a report of its real property acquisition and displacement activities under this part if required by the Federal agency funding the project."* (Ref. 49 CFR 24.9[c])

The federal report pertains to those activities subject to provisions of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 where federal or federally-assisted funds are involved in any phase of a project. This includes projects under the Combined Road Plan, State/Local Cooperative Agreements, and where there is sales tax initiative funding.

The district prepares Form RW 10-4, "Uniform Relocation Assistance and Real Property Acquisition Statistical Report," for the 12-month period ending September 30 of each year. The report is submitted to HQ P&M no later than October 15. Instructions for use and completion of the form are printed on the reverse side of the form.

#### **2.04.04.00 Forms, Records, and File Administration**

Headquarters P&M is responsible for maintaining R/W's record systems and for assuring that policies and procedures set forth in the Caltrans records management and forms management programs are adhered to.

#### **2.04.04.01 Records and File Administration**

The Program Manager appoints a R/W Records Officer to manage the records program in R/W.

##### **HQ Responsibilities:**

- Control access to public records
- Assure confidentiality of personal information
- Assure application of appropriate technology to all records and file management-related activities
- Approve requests for filing and storage equipment
- Consult with and advise managers in all matters pertaining to records and file management

##### **Statewide Responsibilities:**

- Maintain and revise the statewide R/W Records Retention Schedule
- Coordinate input to Annual Records Inventory
- Act as liaison between HQ and district R/W for matters pertaining to R/W records

#### **2.04.04.02 Records Retention Schedule**

Departmental policy states that a Records Retention Schedule, Std. 72, shall be established for all record series under each Program's functional control and shall include records held in HQ, district offices, and storage. A complete revision is required every five years and may be updated as retention requirements change.



The R/W Records Officer shall maintain and distribute the schedule to district R/W Records Officers and P&M offices as changes are made.

#### **2.04.04.03      Forms Management**

R/W appoints a Forms Officer to bring the Program into compliance with applicable laws and regulations of the Department's forms management program. Duties include:

- Act as liaison between HQ and district R/W on issues pertaining to forms management.
- Maintain an index of R/W forms to assure adherence to forms design standards.
- Review forms for compliance with the Information Practices Act.
- Enforce provisions of the Information Practices Act to assure confidentiality of all personal information gathered.
- Prepare statewide input for the annual Information Practices Act report.
- Approve all requests to print, design, and order forms.
- Take advantage of opportunities for use of new technologies.

**NOTES:**

## **2.05.00.00 - DELEGATION MATRICES**

Pursuant to Director's Policy #16 dated December 1, 1994, and Executive Order #98-21 dated July 2, 1998, the R/W Program Manager issues, updates, and disseminates Program delegations directly to the Regions/Districts through the R/W manual revision process. As before, delegations transfer to Region/District Directors, and by separate subdelegation order from Region/District Directors to Region/District Division Chiefs - R/W, and thereafter to the designated position.

The delegation matrices identify specific delegations to Regions/Districts, and also identify the Region/District subdelegation level of approval

required for actions within each R/W function. The delegation process now provides that each Region/District will determine, approve, and enter its own subdelegation authority levels on the following matrices.

To complete the subdelegation process, each Region/District determines and processes appropriate subdelegation orders, enters those approved authorities in the appropriate matrix column, and thereafter maintains subdelegation records and revisions. A copy of the delegation matrices reflecting Region/District approved subdelegation levels and current revisions thereto is to be forwarded for HQ records.

**NOTES:**

## CHAPTER 2

### Policy Table Of Contents

#### FORMS

<u>Form No.</u>	<u>Title</u>
RW 2-1	Survey Form
RW 2-2	Discrimination Complaint Form

**TITLE VI SURVEY**

RW 2-1 (10/95)

Co

Rte

Post

EA

Parcel

**PERSONAL INFORMATION NOTICE**

Pursuant to the Federal Privacy Act (P.L. 93-579) and the Information Practices Act of 1977 (Civil Code Sections 1798, et seq.), notice is hereby given for the request of personal information by this form. The requested personal information is voluntary. The principal purpose of the voluntary information is to facilitate the processing of this form. The failure to provide all or any part of the requested information may delay processing of this form. No disclosure of personal information will be made unless permissible under Article 6, Section 1798.24 of the IPA of 1977. Each individual has the right upon request and proper identification, to inspect all personal information in any record maintained on the individual by an identifying particular. Direct any inquiries on information maintenance to your IPA Office.

**NON-DISCRIMINATION**

All persons affected by State transportation projects are requested to provide information with regard to race, color, sex, religion, national origin, ancestry, age, marital status, disability or medical condition. Please check the items below which best describe you and return this form in the enclosed envelope.

The furnishing of this information is voluntary.

Head of household:

☐ Male☐ Female

Marital status:

☐ Single☐ Married☐ Divorced☐ Separated

Race:

☐ White☐ American Indian☐ Black

Specify Tribe \_\_\_\_\_

☐ Hispanic☐ Other☐ Asian

Specify \_\_\_\_\_

Language spoken, if other than  
English \_\_\_\_\_

Are you or any member of your household suffering any physical disability or medical condition?

☐ Yes☐ No

Enclosure

**TITLE VI DISCRIMINATION COMPLAINT**

RW 2-2 (10/95)

**PERSONAL INFORMATION NOTICE**

Pursuant to the Federal Privacy Act (P.L. 93-579) and the Information Practices Act of 1977 (Civil Code Sections 1798, et seq.), notice is hereby given for the request of personal information by this form. The requested personal information is voluntary. The principal purpose of the voluntary information is to facilitate the processing of this form. The failure to provide all or any part of the requested information may delay processing of this form. No disclosure of personal information will be made unless permissible under Article 6, Section 1798.24 of the IPA of 1977. Each individual has the right upon request and proper identification, to inspect all personal information in any record maintained on the individual by an identifying particular. Direct any inquiries on information maintenance to your IPA Office.

\_\_\_\_\_  
Dist\_\_\_\_\_  
Co\_\_\_\_\_  
Rte\_\_\_\_\_  
Post

Name of Complainant

Home Phone

Work Phone

Mailing Address

BASIS OF DISCRIMINATION

☐ RACE☐ SEX☐ COLOR☐ NATIONAL ORIGIN

Date(s) and Place of Alleged Discrimination

Nature of The Action, Decision, or Conditions of The Alleged Discrimination (Attach Extra Page, If Necessary)

Name of Individuals (If Known) Responsible for The Action, Decision or Condition of Alleged Discrimination

Information Known to Complainant in Support of His/Her Allegation

Possible Witnesses Whom The Complainant Believes Can Provide Factual Information About Alleged Events

Action Requested By Complainant

Signature of Complainant

Date Filed

## **CHAPTER 2**

### **Policy Table Of Contents**

#### **EXHIBITS**

<b><u>Exhibit No.</u></b>	<b><u>Title</u></b>
2-EX-1	Supervisor's Report of Employee Orientation
2-EX-2	Orientation to Right of Way Functions
2-EX-3	Statutes and Regulations
2-EX-4	Complaint Process



**SUPERVISOR'S REPORT OF EMPLOYEE ORIENTATION**

PM-0233 (NEW 11/94)

EXHIBIT

2-EX-1

Page 1 of 2

EMPLOYEE NAME <i>(Last, First, Initial)</i>		CIVIL SERVICE CLASSIFICATION	DATE OF APPOINTMENT
ORGANIZATION UNIT	LOCATION	SUPERVISOR	

**TO THE SUPERVISOR:****Purpose**

Each new employee is entitled to be:

1. Introduced to the employment environment and made to feel at home.
2. Informed of his/her responsibilities and rights.
3. Instructed as to what is expected of him/her.
4. Given assistance and encouragement to become the best employee possible.

**Instructions**

1. Check the box to the left of each item as you cover the item.
2. The timetable is to guide you, but items need to be covered in the order shown.
3. Return the completed and signed form to the Personnel Office within 60 days of appointment; provide employee with on maintain a copy for your file.

**A. FIRST DAY**

## 1. Discussed Briefly:

- |   |  |
|---|--|
| <input type="checkbox"/> General functions and nature of unit                                   | <input type="checkbox"/> Safety practices <i>(Driving, etc.)</i> |
| <input type="checkbox"/> His/Her job duties and responsibilities                                | <input type="checkbox"/> Public Relations                        |
| <input type="checkbox"/> His/Her past experience, interests, future job goals and possibilities |  |

## 2. Explained Briefly:

- |   |  |
|---|--|
| <input type="checkbox"/> Starting salary                        | <input type="checkbox"/> Work hours, lunch hour, rest periods        |
| <input type="checkbox"/> Regular pay day                        | <input type="checkbox"/> Attendance rules, person to phone is absent |
| <input type="checkbox"/> Approximate date of time sheet reports | <input type="checkbox"/> Special office rules and practices          |
| <input type="checkbox"/> Completion of time sheet reports       | <input type="checkbox"/> Telephone usage                             |
|   | <input type="checkbox"/> Employee parking                            |

3. ☐ Introduced employee to co-workers and other he/she should know.
4. ☐ Showed him/her the employee facilities *(cafeteria, rest rooms, etc.)*
5. ☐ Verified that the employee has received the orientation package from the Personnel Office.
6. ☐ Assigned work space and provided adequate tools.
7. ☐ Checked driver's license, when applicable.
8. ☐ Gave employee his/her duty statement and began on-the-job training. *(This might include reading materials such as manuals, etc.)*

# SUPERVISOR'S REPORT OF EMPLOYEE ORIENTATION

PM-0233 (NEW 11/94)

EXHIBIT

2-EX-1

Page 2 of 2

## B. WITHIN FIRST WEEK

### 1. Discussed:

- |   |  |
|---|--|
| <input type="checkbox"/> Specific duties and responsibilities                                   | <input type="checkbox"/> Probationary period                             |
| <input type="checkbox"/> Standards of performance   | <input type="checkbox"/> Purpose and procedure of performance evaluation |
| <input type="checkbox"/> His/Her past experience, interests, future job goals and possibilities |  |

### 2. Explained the following and encouraged employee to ask any questions he/she may have. (*Copies of these Policy & Procedure Memos are included in orientation package.*)

- |  |  |
|--|--|
| <input type="checkbox"/> Employee Relations Policy | <input type="checkbox"/> Incompatible activities             |
| <input type="checkbox"/> Training Policies         | <input type="checkbox"/> Reporting unsafe working conditions |
| <input type="checkbox"/> Affirmative Action Policy | <input type="checkbox"/> Grievance Procedure                 |
| <input type="checkbox"/> Safety Program            | <input type="checkbox"/> Discrimination Complaint            |

### 3. Discussed policies relating to Travel Expense Claims (*T.E.C.*'s) use of various methods of transportation while on State business, etc.

## C. WITHIN FIRST TWO MONTHS (*Information on these subjects is included in the employee orientation package.*)

### 1. ☐ Explained importance of work of Department, and helped employee relate his or her work to the overall.

### 2. ☐ Sent employee to the scheduled orientation meeting.

### 3. ☐ Either explained or had Personnel explain Civil Service procedures regarding:

- |   |  |
|---|--|
| <input type="checkbox"/> Payroll and payroll deductions                   | <input type="checkbox"/> Merit Awards                |
| <input type="checkbox"/> Leave privileges ( <i>vacation, sick leave</i> ) | <input type="checkbox"/> Examinations and Promotions |
| <input type="checkbox"/> Retirement                                       | <input type="checkbox"/> Annual Holidays             |

### 4. Either explained, or introduced the employee to persons who would explain:

- |  |   |
|--|---|
| <input type="checkbox"/> Worker's Compensation   | <input type="checkbox"/> Career Counseling      |
| <input type="checkbox"/> Health Benefits Program | <input type="checkbox"/> Savings Bonds          |
| <input type="checkbox"/> Group Insurance         | <input type="checkbox"/> Charity Drives         |
| <input type="checkbox"/> Credit Union            | <input type="checkbox"/> Facility Security Plan |

## D. CONTINUOUSLY DURING ORIENTATION (*During first two months of initial employment*)

1. ☐ Frequently checked back with employee to show personal interest.
2. ☐ Was available for consultation and advice, and let employee know this.
3. ☐ Evaluated adequacy and effectiveness of training and discussed employee's progress with him/her.
4. ☐ Supplied or obtained prompt, accurate answers to all employee questions.
5. ☐ Did everything possible to help this employee become productive, useful, and pleased with his/her job.

***We have discussed the items checked above, and reached understanding and agreement about them.***

SUPERVISOR (*Signature*)

DATE

EMPLOYEE (*Signature*)

DATE

**ORIENTATION TO RIGHT OF WAY FUNCTIONS**

(Form #)

**I. RIGHT OF WAY ENGINEERING**

- \_\_\_ A. Objectives of Right of Way Engineering
  - \_\_\_ B. Right of Way Maps
    - 1. Explanation of various types
      - a. Estimate
      - b. Hard copy
      - c. Appraisal
      - d. Right of Way Record Map
      - e. Application Maps
      - f. Relinquishment and Vacation
      - g. Condemnation
    - 2. Researching Records
    - 3. Reading Maps
      - a. Use of Engineering Scale
      - b. Aerial Topography
  - \_\_\_ C. Assessor Records
    - 1. Indexes
    - 2. Use of Microfiche
  - \_\_\_ D. Calculations and Delineation
    - 1. Example of Boundary Resolution
      - a. Deed Interpretation
      - b. Subdivision and Record of Survey Maps
    - 2. Area Calculations
    - 3. Review of Public Land Surveys
    - 4. California Coordinate System
    - 5. Descriptions and Deed Preparation
    - 6. Condemnation Resolutions
  - \_\_\_ E. Land Surveyors Act and Subdivision Map Act - Review
  - \_\_\_ F. Field Surveys
    - 1. Observe Property Corner Survey
    - 2. Observe Staking or Setting New Right of Way
  - \_\_\_ G. View APOLLO Workstation
  - \_\_\_ H. Integrated Right of Way System
-

**II. APPRAISALS**

- ☐ A. Objectives of Appraisal Unit
- ☐ B. Explanation of General Appraisal Concepts including
  - 1. Market Value
  - 2. Highest and Best Use
  - 3. Larger Parcel
  - 4. Severance Damage
- ☐ C. Read a Market Value Appraisal Report
- ☐ D. Field trips with Appraisal Agents to observe
  - 1. Initial contact with property owner (including inspection of property)
  - 2. Confirming a comparable sale
  - 3. Use of the various sources of comparable sales data such as Title Company, Recorder's Office, Multiple Listing Service, Brokers
- ☐ E. Integrated Right of Way System

**III. ACQUISITION**

- ☐ A. Objective of Acquisition Unit including Condemnation Function
- ☐ B. Work with an Acquisition Agent to prepare for field trip
  - 1. Analyzing Title Report for subject property
  - 2. Preparing Right of Way Contract
  - 3. Preparing a Memorandum of Settlement
  - 4. Reviewing Appraisal Report of subject property
- ☐ C. Field trip with Acquisition Agent to view
  - 1. Subject parcel and comparables
  - 2. An Initial Call
  - 3. Follow up/Closing Call
  - 4. Filing of Condemnation Papers
  - 5. Serving of Condemnation Papers
- ☐ D. Integrated Right of Way System

**IV. RELOCATION ASSISTANCE PROGRAM**

- ☐ A. Objectives of Relocation Assistance Program, Housing Studies and Last Resort Housing
  - ☐ B. Field trips with Relocation Assistance Program Agents to observe
    - 1. An initial Relocation Assistance call on displacee
    - 2. A Follow Up Call on displacee
    - 3. A Decent, Safe and Sanitary Inspection
    - 4. Signing of claim forms by a residential displacee
-

- \_\_\_ C. Review of a Housing Study
- \_\_\_ D. Field trip with agent preparing a Relocation Assistance valuation (if not done during Appraisal Unit indoctrination)
- \_\_\_ E. Integrated Right of Way System

**V. PROPERTY MANAGEMENT**

- \_\_\_ A. Objectives of Property Management Function
- \_\_\_ B. Explain and review
  - 1. Rental application
  - 2. Credit
  - 3. Rental Agreement
  - 4. Maintenance Inspection check sheet
  - 5. Rental Rate Valuation
  - 6. Clearance and Demolition Procedures
  - 7. Property Inventory Accountability (?)
- \_\_\_ C. Field trips with rental agents to observe
  - 1. Interview with new tenant
  - 2. Maintenance Inspection Call
- \_\_\_ D. Review to Travelers' Service and Outdoor Advertising
- \_\_\_ E. Review of Asset Management
- \_\_\_ F. Integrated Right of Way System

**VI. EXCESS LANDS**

- \_\_\_ A. Objectives of Excess Lands Unit
  - \_\_\_ B. Explain and Review
    - 1. Process for clearing properties for sale
    - 2. Sales Notice
    - 3. Advertising Campaign
  - \_\_\_ C. Fields trips with agent to observe
    - 1. Initial call with owner on a "Finding A" or "Finding B" property
    - 2. Public Auction or Sealed Bid Sale
  - \_\_\_ D. Automated Inventory System including "Hold" categories
  - \_\_\_ E. Integrated Right of Way System
-

**VII. PLANNING AND MANAGEMENT**

- \_\_\_ A. Objectives of Planning and Management Function
- \_\_\_ B. Explanation of
  - 1. Relationships between Right of Way, Planning, Project Development, Operations and Construction Departments
  - 2. Right of Way Capital Program
  - 3. Status of Projects
  - 4. State Transportation Improvement Program (STIP)
  - 5. Person-Year and Project Scheduling and Cost Analysis (PYPSCAN)
- \_\_\_ C. Review of Right of Way Certification Process
- \_\_\_ D. Integrated Right of Way System

**VIII. UTILITIES**

- \_\_\_ A. Objectives of Utility Relocation Process
  - \_\_\_ B. Explanation of how Utility conflicts are identified, analyzed and cleared
  - \_\_\_ C. Field trip with agent to observe
    - 1. Utility conflict on site
    - 2. Contact with Utility owner to discuss relocation
  - \_\_\_ D. Assist agent in preparing a Utility Notice to Owner and a Utility Agreement
  - \_\_\_ E. Automated Utility System (RWUMS)
  - \_\_\_ F. Integrated Right of Way System
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**STATUTES**

- A. Section 601 of Title VI, Civil Rights Act of 1964 (42 USC 2000d, et seq):  
“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”
- B. Section 162(a) of the Federal-Aid Highway Act of 1973 (23 USC 324):  
“No person shall on the grounds of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance under this title or carried on under this title. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under Title VI of the Civil Rights Act of 1964. However, this remedy is not exclusive and will not prejudice or cut off any other legal remedies available to a discriminatee.”

**REGULATIONS**

- A. Section 602 of Title VI of the Civil Rights Act of 1964 (42 USC 2000d-1) states in pertinent part that each Federal agency empowered to extend Federal financial assistance is authorized and directed to effectuate the provision of Section 601 by issuing the necessary rules, regulations, and orders. Pursuant to this requirement, 49 CFR 21 was issued by the Office of the Secretary of Transportation.
- B. In accordance with 23 USC 324, prohibition of discrimination on the grounds of sex has been added to the provisions of 49 CFR 21 included within this directive.
- C. Discriminatory Action Prohibited:
1. A recipient may not directly or through contractual or other arrangements, on the grounds of race, color, sex, or national origin:
    - a) Deny a person any service, financial aid, or other benefit provided under the program,
    - b) Provide any service, financial aid, or other benefit to a person which is different, or is provided in a different manner, from that provided to others under the program,
    - c) Subject a person to segregation or separate treatment in any matter related to his or her receipt of any service, financial aid, or other benefit under the program,
    - d) Restrict a person, in any way, in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program,
    - e) Treat a person differently from others in determining whether he or she satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which persons must meet in order to be provided any service, financial aid, or other benefit, provided under the program, or
    - f) Deny a person an opportunity to participate in the program through the provision of services, or otherwise, or afford him or her an opportunity to do so which is different from that afforded others under the program.
  2. The State, acting through its highway department, may not discriminate in its selection and retention of contractors, including without limitation, those whose services are retained for or incidental to, acquisition of right of way, property management, and fee contracts and other commitments with persons for services and expenses incidental to the acquisition of right of way.
  3. Federal-aid contractors may not discriminate in their selection and retention of first-tier subcontractors, and first-tier subcontractors may not discriminate in the selection and retention of second-tier subcontractors, who participate in Federal-aid highway acquisition of right of way.
  4. The State may not discriminate against the traveling public and business users of the federally assisted highway in their access to and use of the facilities and services provided for public accommodations (such as eating, sleeping, rest, recreation, and vehicle servicing) constructed on, over, or under the right of way of such highways.
  5. Neither the State, any other persons subject to this part, nor its contractors and subcontractors may discriminate in their employment practices in connection with highway construction projects assisted by the Federal Highway Administration.
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Any individual, group of individuals, or entity may file a complaint of discrimination with the State Department of Transportation if they feel they have been discriminated against in violation of Title VI of the 1964 Civil Rights Act. The Title VI Complaint Process involves three main procedures. However, every effort will be made to resolve complaints at the informal level.

**I. Procedures for Processing Informal Title VI Complaints**

All complaints of discrimination will be referred to the District Equal Opportunity Officer in that district in which the alleged discrimination has occurred. At this level, the District Title VI Coordinator will attempt to conduct an informal investigation and make every effort to reach a fair and equitable solution using the following procedures:

- A. Arrangements shall be made for a personal interview with the complainant to obtain the following information:
  - 1. The complainant's name, address, and telephone number.
  - 2. Names of individuals (if known) responsible for the action, decision or condition alleged to be discriminatory.
  - 3. Date and place of alleged discriminatory treatment.
  - 4. Discriminatory criterion (race, sex, national origin, or color).
  - 5. Nature of the action, decision or conditions of the alleged discrimination.
  - 6. Information known to the complainant in support of his/her allegation.
  - 7. Possible witnesses whom the complainant believes can provide factual information about alleged events.
  - 8. Other information specific to the complaint.
  - 9. Any indication of reprisal, intimidation, or harassment as a result of the complaint.
- B. Once this information is received, the functional unit involved shall be notified of the alleged complaint of discrimination.
- C. An inquiry shall be made of all parties involved in the alleged complaint.
- D. The complainant shall be notified within 60 days of the results of the inquiry and if he/she chooses to resolve the issue at this level, every effort should be made to find a fair and equitable solution.
- E. The District Title VI Coordinator shall keep a record of all discussions and retain all notes and documents relating to the case.
- F. A summary report of finding and the solution implemented shall be sent to the Equal Opportunity Office in Headquarters.

**II. Procedures for Processing Formal Title VI Complaints**

If informal resolution fails, and the complainant elects to file a formal complaint against the Department, the following procedures shall be implemented:

- A. Within 10 days of receipt of the formal complaint, the complainant will be notified that a formal investigation will be conducted. The investigation will be conducted and completed within 60 days of receipt of the formal complaint.
  - B. The Title VI Officer in Headquarters will be the investigator of all formal complaints. The investigation will be conducted utilizing the information gained from the informal investigation along with any additional inquiries deemed necessary.
  - C. The functional unit involved shall review the investigation report for response.
  - D. Based upon all the information received, an investigation report will be written for submittal to the Chief, Equal Opportunity.
  - E. The complainant will receive a copy of the investigation report along with a letter stating the final decision of the Chief, Equal Opportunity Office by the end of the 60-day time limit.
-



F. A copy of the discrimination complaint along with a completed copy of the investigation report will be sent to FHWA by the end of the 60-day time limit.

G. The complainant shall be notified of his/her right to appeal the decision.

Appeals are to be made to the following agency:

Federal Highway Administration

Division Administrator

980 9th Street, Suite 400

Sacramento, CA 95814-2724

III. Filing A Complaint with the U.S. Department of Transportation

The complainant has the right to file a complaint directly to the U.S. Department of Transportation. The complaint must be filed no later than 180 days after the alleged discriminatory act occurred.

Complaints should be filed to the following:

Secretary

U.S. Department of Transportation

400 - 7th Street, SW, Room 10200

Washington, DC 20590

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